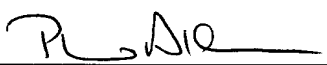


<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</i>	Attorney Docket No. <span style="border: 1px solid black; padding: 0 20px;">SP02-274</span>	Total Pages <span style="border: 1px solid black; padding: 0 20px;">2</span>
First Named Inventor or Application Identifier: <b>DOWNIE JOHN D</b>		
Title : <b>METHOD FOR ESTIMATING BIT ERROR RATIOS WITHIN AN OPTICAL COMMU</b>		
Express Mail Label No.	<span style="border: 1px solid black; padding: 0 20px;">EV327189201US</span>	

**CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10:**  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is Addressed to Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450


on 10/2/03  
 (Date)

Signature 

"EXPRESS MAIL" Mailing Label No. EV327189201US

**ADDRESS TO:**

Mail Stop Patent Application  
 Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

19270 U.S. PTO  
 10/677450  
  
 100203

1. ☒ \* Fee Transmittal Form  
*(Submit an original and a duplicate for fee processing)*

2. ☒ Specification [Total Pages 10]  
*(preferred arrangement set forth below)*

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☐ Drawing(s) (35 U.S.C. § 113) [Total Sheets  ]

4. Oath or Declaration [Total Pages 2]

a. ☒ Executed (original or copy)

b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
*(for continuation/divisional with Box 16 completed)*

i. ☐ **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program *(Appendix)*

6. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*

a. ☐ Computer Readable Copy

b. ☐ Paper Copy (identical to computer copy)

c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7. ☒ Assignment Papers (cover sheet & document(s))

8. ☒ 37 C.F.R. § 3.73(b) Statement ☒ Power of Attorney  
*(when there is an assignee)*

9. ☐ English Translation Document *(if applicable)*

10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations

11. ☐ Preliminary Amendment

12. ☒ Return Receipt Postcard (MPEP 503)  
*(should be specifically itemized)*

14. ☐ Certified Copy of Priority Document(s) 15. ☐ Other:  
*(if foreign priority is claimed)*

16. **If a CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:

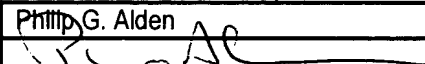
☐ Continuation ☐ Divisional. ☐ Continuation-in-part (CIP) of prior application No

Prior application information: Examiner: Group / Art Unit:

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label 22928 or ☐ Correspondence address below

<b>NAME</b>					
Corning Incorporated, SP-TI-3-1					
<b>CITY</b>	Corning	<b>STATE</b>	NY	<b>ZIP CODE</b>	14831
<b>COUNTRY</b>	USA	<b>TELEPHONE</b>	607-974-8803	<b>FAX</b>	(607) 974-3848
<b>Name (Print/Type)</b>	Philip G. Alden			<b>Registration No. (Attorney/Agent)</b>	32,189
<b>Signature</b>				<b>Date</b>	10/2/03

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

## CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20=	*
INDEPENDENT CLAIMS	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

### SMALL ENTITY TYPE ☐

OR

### OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	385.00	OR	BASIC FEE	770.00
X\$ 9=		OR	X\$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL		OR	TOTAL	

### SMALL ENTITY

OR

### OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\*If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

10/02/03



# FEE TRANSMITTAL for FY 2003

## Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	DOWNIE JOHN D, et al.
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned
Attorney Docket Number	SP02-274

**TOTAL AMOUNT OF PAYMENT (\$)** 770.00

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

03-3325

Deposit  
Account  
Name

Corning Incorporated

- ☒ Charge Any Additional Fees Required  
Under 37 C.F.R. §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
--------------------------	--------------------	-----------------	----------

1001	750	Utility filing fee	770.00
1002	330	Design filing fee	
1003	520	Plant filing fee	
1004	750	Reissue filing fee	
1005	160	Provisional filing fee	

**SUBTOTAL (1)** (\$770.00)

#### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	8 - 20** =	x 18 =	00.00
Independent Claims	1 - 3** =	x 84 =	00.00
Multiple Dependent		0 =	0.00

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Entity Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	84	Independent claims in excess of 3
1203	280	Multiple dependent claim, if not paid
1204	84	** Reissue independent claims over original patent
1205	18	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$00.00)

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1052	50	Surcharge - late provisional filing fee or cover sheet	
1053	130	Non-English specification	
1812	2,520	For filing a request for reexamination	
1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840	Requesting publication of SIR after Examiner action	
1251	110	Extension for reply within first month	
1252	410	Extension for reply within second month	
1253	930	Extension for reply within third month	
1254	1,450	Extension for reply within fourth month	
1255	1,970	Extension for reply within fifth month	
1401	320	Notice of Appeal	
1402	320	Filing a brief in support of an appeal	
1403	280	Request for oral hearing	
1451	1,510	Petition to institute a public use proceeding	
1452	110	Petition to revive - unavoidable	
1453	1,300	Petition to revive - unintentional	
1501	1,300	Utility issue fee (or reissue)	
1502	470	Design issue fee	
1503	630	Plant issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Petitions related to provisional applications	
1806	180	Submission of Information Disclosure Stmt	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1810	750	For each additional invention to be examined (37 C.F.R. § 1.129(b))	
1801	750	Request for Continued Examination (RCE)	
1802	900	Request for expedited examination of a design application	

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)

### SUBMITTED BY

### Completed (if applicable)

Name (Print/Type)	Philip G. Alden	Registration No. (Attorney/Agent)	32,189
Signature		Date	10/2/03

(U.S.)

Attorney Docket No.: SP02-274

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Downie, et al

**Serial No.:**

**Filed:**

**For:** METHOD FOR ESTIMATING BIT  
ERROR RATIOS WITHIN AN  
OPTICAL COMMUNICATIONS  
NETWORK

**COMBINED  
CERTIFICATE UNDER  
37 C.F.R. § 3.73(b)  
and  
POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, DC 20231

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

**CORNING INCORPORATED**, a New York corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. A true copy of the unrecorded Assignment is attached hereto.

The undersigned has reviewed the above referenced assignment of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.